



140 Grand Street, Suite 705, White Plains, New York 10601  
 t 914.686.1500 • f 914.487.5000 • www.yankwitt.com

White Plains, NY  
 Atlantic City, NJ

July 11, 2024

**Via Electronic Case Filing**

The Honorable Philip M. Halpern  
 United States District Court, Southern District of New York  
 300 Quarropas Street, Courtroom 520  
 White Plains, New York 10601

Re: *Lee v. Golaszewski and Swentzel*, No. 7:23-cv-10695-PMH

Dear Judge Halpern:

We represent defendants Richard Golaszewski and Stephen Swentzel (“Defendants”) in the above-captioned action. Pursuant to Rule 1(C) of Your Honor’s Individual Practices in Civil Cases, we write to respectfully request that the Court reschedule the pre-motion conference currently set for August 7, 2024 at 12:00 p.m. to a date and time convenient for the Court the week of August 26, 2024 or as soon thereafter as the Court is available. The reason for this request is the trial and pre-planned family vacations of Mr. Swergold and Mr. Reed, who have had primary responsibility for handling the summary judgment papers. In particular, Mr. Swergold is scheduled to start an at least one-week trial in New Jersey on August 5, 2024 and to be away with his family the week of August 12, and Mr. Reed is scheduled to be away with his family the weeks of August 12 and 19. This is Defendants’ first request for an adjournment of the pre-motion conference. Plaintiff’s counsel opposes further adjournments of this conference since Mr. Reed is available for the August 7<sup>th</sup> conference, and he has handled the prior court conferences on behalf of the Defendants.

Separately, Defendants also write to submit a revised version of their pre-motion letter in support of their anticipated motion for summary judgment (Dkt. Nos. 58 (sealed version) and 59 (redacted version)). On July 1, 2024, Plaintiff submitted the parties revised 56.1 statement after Your Honor ordered the parties to file a new 56.1 statement that complied with the Court’s rules. The revisions to the 56.1 statement resulted in the renumbering of paragraphs that were cited in Defendants’ original pre-motion letter. Accordingly, Defendants submit a revised pre-motion letter to align these citations with the revised 56.1 statement. Plaintiff’s counsel does not oppose Defendants’ filing of a revised letter to correct the citations.

Application granted. The conference scheduled for August 7, 2024 is adjourned to August 27, 2024 at 3:30 p.m. to be held in Courtroom 520 of the White Plains courthouse. The Clerk of Court is respectfully requested to terminate the pending letter-motions (Doc. 72, 73).

SO ORDERED.

Philip M. Halpern  
 United States District Judge

Dated: White Plains, New York  
 July 12, 2024

ation of this request.

ctfully submitted,

KWITT LLP

sel for Richard Golaszewski and Stephen Swentzel

/s/ Jason M. Swergold

Russell M. Yankwitt  
 Jason M. Swergold

Hon. Philip M. Halpern  
July 11, 2024  
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Michael H. Reed

cc: Dylan Kletter, Esq. (Counsel for Plaintiff)